

FILED
TIME 4:17PM

NOV 28 2017

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RICHARD W. NAGEL
Clerk of Court
CINCINNATI, OHIO

**IN RE APPLICATION OF THE
UNITED STATES OF AMERICA
FOR AN ORDER PURSUANT TO
18 U.S.C. § 2703(d) DIRECTING SPRINT TO
PROVIDE HISTORICAL CELL SITE
LOCATION RECORDS RELATED TO THE
CELLULAR TELEPHONE IDENTIFIED BY
CALL NUMBER 937-422-7413**

CASE NO. **1:17MJ-915**

UNDER SEAL

**APPLICATION FOR COURT ORDER
FOR DISCLOSURE OF HISTORICAL CELL-SITE RECORDS**

The United States of America, by and through its undersigned counsel, hereby moves this Court pursuant to 18 U.S.C. § 2703(c)-(d) for an order (1) requiring Sprint, an electronic communication service within the meaning of 18 U.S.C. § 2510(15), to disclose to the Department of Homeland Security, Homeland Security Investigations (“HSI”), all available subscriber and toll records to include call detail, SMS Detail, data sessions, per call measurement data (“PCMD”), cell site and cell site sector information related to the use of a cellular telephone identified by the call number **937-422-7413** for the period from August 1, 2016 through the present; (2) precluding the provider of such service from disclosing to the subscriber or customers or to any other unauthorized person this request, any court order issued in connection with this request, the fact of disclosure of such records to the HSI or the existence of this investigation, pursuant to 18 U.S.C. § 2705(b); and (3) sealing the government's application, the Court's order, and any related documents.

In support of this application, the undersigned states as follows:

1. The undersigned is an attorney for the government as defined by Rule 1(b) of the Federal Rules of Criminal Procedure and, therefore, pursuant to 18 U.S.C. § 2703(c) may apply for an order as requested herein.

2. The United States is investigating the production of child pornography. The investigation concerns possible violations of Title 18, United States Code, Section 2251.

3. In or about May of 2017, law enforcement obtained evidence of child pornography contained on JASON FLETCHER's phone. FLETCHER told law enforcement, in substance and in part, that (1) in or about September 2016, he made the child pornography videos with his cousin, CIERA RICHTER; (2) RICHTER provided the child used in the videos; and (3) RICHTER sold the child pornography videos to make money.

4. The phone number associated with FLETCHER's phone is 937-422-7413.

5. A records check conducted by law enforcement revealed that 937-422-7413 is utilized by Sprint.

6. Disclosure of this application, the Court's order, or the fact that the requested records have been produced to HSI may seriously jeopardize this pending criminal investigation.

7. WHEREFORE, applicant requests the Court to enter the attached Order (1) requiring Sprint to disclose to HSI all available toll records to include call detail, SMS Detail, data sessions, per call measurement data (“PCMD”), cell site and cell site sector information, including International Mobile Subscriber Identifier (“IMSI”), and/or International Mobile Station Equipment Identity (“IMEI”) related to the use of the cellular telephone identified by the call number **937-422-7413** for the period from August 1, 2016 through the present; (2) precluding the provider of such service from disclosing to the subscriber or customers or to any other unauthorized person this request, any court order issued in connection with this request, the fact of disclosure of such records to the HSI or the existence of this investigation, pursuant to 18 U.S.C. § 2705(b); and (3) sealing the government’s application, the Court’s Order and any related documents until otherwise ordered by the Court.

Executed on November 28, 2017.

Respectfully submitted,

BENJAMIN C. GLASSMAN
United States Attorney

s/Megan Gaffney
MEGAN GAFFNEY
Assistant United States Attorney
221 East Fourth Street, Suite 400
Cincinnati, Ohio 45202
Office: (513) 684-3711
Fax: (513) 684-6385
E-mail: Megan.Gaffney@usdoj.gov